h Praise for the Coal Strike Commission and a Word for Arbitration Generally
—Speech Made in Snewsterm—A
Short Talk: Made to School Children.

BERDERN, S. D., April 6.-Presiden sevelt has been travelling northward ough South Dakota all day. It has a cold, and the wind has kept the giant an thistles racing one another over brown prairie in an apparently end-contest. The President made only one speech, that at Sioux Falls this mornwhich was delivered in a light snoworm to a variegated crowd of plainsmen from all the country roundabout and to bretty much all the population of the sustling little city:

Here in the borthern corner of the State ere are patches of snow still on the nd, and many have been the premoniry shivers of those who are to wait at unibar while the President goes up into or Yellowstone Park, where, it is now ported, ten feel of fresh snow fell only t Saturday. The President has had a mparatively easy day, although he has livered twelve speeches. All but one these have been three and five-minute hes, made for the constituents of rs Hittredge and Gamble. Their people threatened them with dire consequences if the President was allowed to pass their way without saying a word to

pleasure to see you, and I can sum up all I have to say to you in justs couple of phrases. You need wise laws. See that you get them. You need honest administration of the laws. See that you have it. But do not make the mistake of thinking that any laws, or any

tiller of the soil was in part as follows:

LABOR PROBLEMS.

FELLOW CITIZENS: There are many, many tesser problems which go to make up in their entirety the huge and complex problems of our modern industrial life. Each of these problems is, moreover, connected with many of the others. Few indeed are simple or stand only by themselves. The most important are those connected with the relation of the farmers, the stock growers and soil tillers to the community at large, and those affecting the relations between employer and employed. In a country like ours it is fundamentally true that the well being of the tiller of the soil and the wage worker is the well being of the State. If they are well off, then we need concern ourselves but little as to how other classes stand, for they will inevitably be well off too, and, on the other hand, there can be no real general prosperity unless based on the foundation of the prosperity of the wage worker and the tiller of the soil.

But the needs of these two classes are often not the same. The tiller of the soil has been of all our clitzens the one on the whole the least affected in his ways of life and methods of industry by the giant industrial changes of the last basif century. There has been change with him, too, of course. He also can work to best advantage if he keeps in close touch with his fellows, and the success of the mational Department of Agriculture the wall of the government. Nor is it daily through the Department that the Government can act. One of the greatest and the Rocky Mountain region at least as much as even has been done for the States of the Courses, or indeed by any Congress in Feent years, is the Irrigation act, which will do for the States of the Great Plains and the Rocky Mountain region at least as much as even has been done for the States of the humid region by river and harbor improvements. Few measures that have been put upon the statute books of the nation have done more for the Poole than this law will, I firmly believe, directly and indirect

AIDING TER PARMER.

The President then reviewed the work of the Department of Agriculture in aiding the cattle men and fruit, wheat and rice growers with suggestions and the introduction of new grades of various crops suitable to certain regions, its work in preventing the deforestation of the country and its coöperation in the good roads movement. He continued:

It is therefore clearly true that a great advance has been made in the direction of finding ways by which the Government can help the farmer to help himself—the only kind of help which a self-respecting man will accept, or, I may add, which will in the end do him any great. Much has been done in these wars, and farm life and farm proceases continually change for the better. The farmer himself still retains, because of his surroundings and the nature of his work, to a preeminent degree the qualities which we like to think of as distinctly. American in considering our early history. The man who tills his own farm, whether on the prairie or in the woodland, the man who grows what we eat and the raw material which is worked up into what we wear, still exists more nearly under the conditions which obtained when the "embattled farmers" of "76 made this country a nation than is true of any others of our people.

WAGE WORKERS OF THE CITIES.

battled farmers" of '76 made this country a nation than is true of say others of our people.

WAGE WORKERS OF THE CITIES.

But the wafe workers in our cities, like the capitalists in our cities, face totally changed conditions. The development of machinery and the extraordinary change in business conditions have rendered the employment of capital and of persons in large aggregations not merely profitable, but often necessary for success, and have specialized the labor of the wage worker at the same time that they have brought great aggregations of wage workers together. More and more in our creat industrial centres men have come to realize that they rannot live as independently of one another as in the old days was the case everywhere, and as is now the case in the country districts.

Of course, fundamentally each man will vet find that the object factor in determininghis success or failure in life is the sum of his own individual qualities. He cannot afford to lose his individual initiative, his individual will and power, but he can best use that power if for certain objects he unites with his fellows. Much can be done by organisation, combination, union among the wage workers finally something can be done by the direct action of the State. It is not possible emptrically

should be deemed legitimate and when illegitimate.

The line of demarcation between unhealthy over interference and unhealthy lack of requiation is not always well defined, and shifts with the change in our industrial needs. Most certainly we should never invoke the interference of the State or nation unless it is absolutely necessary; but it is equally true that when confident of its necessity we should not on academic grounds refuse it. Wise factory laws, laws to forbid the employment of child labor and to safeguard the employees against the effects of culpable negligence by the employer, are necessary, not merely in the interest of the wage worker, but in the interest of the honest and humane employer, who should not be penalized for his honesty and humanity by being exposed to unchecked competition with an unscrupulous rival. It is far more difficult to deal with the greed that works through cunning than with the greed that works through violence. But the effort to deal with it must be steadily made. BENEFITS OF ARBITRATION

effort to deal with it must be steadily made.

BENEFITS OF ARBITRATION.

Very much of our effort in reference to labor matters should be by every device and expedient to try to secure a constantly better understanding between employer and employee. Everything possible should be done to increase the sympathy and fellow feeling between them, and every chance taken to allow each to look at all questions, especially at questions in dispute, somewhat through the other's eyes. If met with a sincere desire to act fairly by one another, and if there is, furthermore, power by each to appreciate the other's standpoint, the chance for trouble is minimized.

I suppose every thinking man rejoices when by mediation or arbitration it proves possible to settle troubles in time to avert the suffering and bitterness caused by strikes. Moreover, a conciliation committee can do best work when the trouble is at its beginning, or at least has not come to a head. When the break has actually occurred, damage has been done, and each side feels sore and angry; and it is difficult to get them together—difficult to make either to forset its own wrongs and remember the rights of the other. If possible the effort at conciliation or mediation or arbitration should be marked by the wish on the part of both sides to try, to come to a common agreement which each shall think in the interests of the other as well as of itself.

PRAISE FOR THE COAL STRIKE COMMISSION. When we deal with such a subject we are

ment which each shall think in the interests of the other as well as of itself.

PRAISE FOR THE COAL STRIKE COMMISSION.

When we deal with such a subject we are fortunate in having before us an admirable object lesson in the work that has just been closed by the Anthracite Coal Strike Commission. This was the commission which was appointed last fall at the time when the coal strike in the anthracite regions threatened our nation with a disaster second to none which has befallen us since the days of the Civil War. Their report was made just before the Senate adjourned at the special session; and no Government document of recent years marks a more important piece of work better done, and there is none which teaches sounder social morality to our people. The commission consisted of seven as good men as were to be found in the country representing the bench, the Church, the army, the professions, the employers and the employed.

RUNAWAY HORSES DROWNED.

A Pair, Frightened by an Automobile, Dash Into East River After a Run. Samuel Springer, a driver for Moulton & Co., at Thirty-third street and Lexington avenue, took two new bay horses and a brougham to the Lamb's Club at 70 West Thirty-sixth street at 8 o'clock last evening to pick up a fare. He had hardly drawn up at the clubhouse when an automobile went puffling by. The bays, which were already restive, got frightened, whirled around, throwing Springer from his seat and dashed east through Thirty-sixth street

At Fifth avenue the horses met another automobile. They just grazed the machine

automobile. They just grazed the machine and went on faster than ever. At Third avenue they nearly bumped into a northbound trolley car, and at Second avenue they knocked down a woman. She got several bad bruises and went to Bellevue Hospital to have them attended to. She declined to tell her name.

Policemen Kahlen and Golder were not far behind when the runaways dashed on the pier at the foot of East Thirty-sixth street. At the end of the pier the horses ran the brougham against the top of a pile and the collision broke the traces and left the brougham badly wrecked on the pier. The horses plunged into the water with a big splash.

The police say that one of the East Fortysecond street ferryboats was passing at

The police say that one of the East Forty-second street ferryboats was passing at the time and that this kicked up a swell in which the runaways were probably drowned. At any rate, Kahlen and Golder who put out at once with a rowboat, were unable to find the horses.

It was said at Moulton & Co.'s stables that the pair was worth about \$800

WHAT'S BRONX LIQUOR TAX? Two Sections of New Law Set Saloon Men

Guessing. Some of the liquor dealers in The Bronx are wondering what their excise tax will be under the new law. Those in this judicial district have been paying \$800; those in

the second district, \$350.

The new law inserts the words "or bor-

CANAL PROTEST TO GOVERNOR

JOHN I. PLATT'S BRIEF AGAINST THE DAVIS BILL.

On the Highest Claims of the \$100,000,000 Spenders the State Must Pay \$10.06 for Every Dollar of Profit to Navigame Unsound and Wasteful.

A protest against the signing of the Davis Thousand-Ton Barge Canal bill was filed with Gov. Odell yesterday by John I. Platt. secretary of the New York State Tax and Transportation Reform Association. Mr. Platt lives in Poughkeepsie and is known informed men in America on the canals. He has served in the Assembly from Dutchess county and has participated in many of the recent conventions which discussed questions of canal usefulness

and development. As a delegate to the State Convention at Saratoga which nominated Gov. Odell he took part in a lively discussion before the Committee on Plat-form on the canal plank. While he is a stronly partisan Republican, Mr. Platt does not hesitate to say that he believes the operation of the Davis bill will bring defeat to the Republican party in this

The arguments against unfair taxation to raise \$101,000,000 or more for a wasteful canal which cannot possibly bring a com-pensating return to the State are set forth

as follows:

Hon. Benjamin B. Odell, Governor:

In the name of the association of which I have the honor to be secretary, the New York State Tax and Transportation Reform Association, and on behalf of the people of the State of New York, who must pay the cost, whether that be provided by a direct tax on their property or by an equally onerous tax on their business, I respectfully enter a protest against the bill now in your hands providing for the construction of a new and larger system of canals, popularly known as the Thousand-Ton Barge Canal bill.

messen, thus was a line commission, which it was to do not make the administration for the laws, can take the place of fundamental qualities that make a good and to a good individual citizes and make a good and to a good mailton, sig gentities of hereasy, of courage and the city. We have the place of the city was a good and to a good mailton, sig gentities of hereasy, of courage and the city of war batter does, and there is none which the selection of the very small towns the President went out on the station platforms to shake hand with the people instead of making a speech. At Shoux Falls this make the place of the city was the station of making a speech at Shoux Falls that the president went out on the station platforms to shake hand with the people instead of making a speech. At Shoux Falls this may be shaded the station of the city and the president speech as a station of the city was a speech of the city was the station of the city was a speech of the station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city was the president speech as a station of the city of the president speech as a station of the city of the president speech as a station of the city of the president speech as a station of the city of the president speech as a station of the president speech as a station of the president speech as a station of the president speech speech as a station of the president speech speec quarries may have a monopoly? President Roosevelt, in his address in Milwaukee on Friday last, denounced the unlawful agreements of certain trunk lines to transport food products from the West to the Atlantic scaboard, giving a few favored shippers rates much below the tariff charges imposed upon the general public. The whole people agree with him in such denunciation. Why then should we favore canal improvement on purpose to give favored shippers and favored localities rates below what the general public has to pay, and to do this at the cost of the people? Was there ever a more monstrous proposition? The author of the bill in the Senate declared that its passage was "essential to the interests of Buffalo." Is the State, then, to pay that Buffalo may be advantaged? When we object, we are told that Buffalo and New York pay a larger amount of taxes than the rural counties do, and we should, therefore, be humble and shent; but we pay the same amount on the dollar. If their taxes produce more, it is because they are rich while other counties are poor. Is that a reason why we should impose further taxes to make the rich richer and the poor poorer?

Third—Because cheaper transportation

they are rich while other counties are poor. Is that a reason why we should impose further taxes to make the rich richer and the poor poorer?

Third—Because cheaper transportation is not in the interest of the State of New York, unless it is obtained by cheaper cost. The founders of the canal system never dreamed of such a thing as affording a cheap avenue of transportation for Western products. Their purpose was to provide revenue for the State by levying tolls on such products, and had they ever supposed that the people would be taxed to support the canal they would have rejected the proposition with indignation.

Fourth—Because canal transportation is not cheap—it is only made to appear so because more than three-quarters of its cost is paid out of the State treasury. In the year 1901, the cost per ton mile of canal transportation was 8.35 mills, of which the State treasury paid 6.45. On the whole New York Central system, for much more valuable freight, it was 4.1 mills. The assertion that "the canal is essential to the commerce of New York," which is repeated without a shadow of evidence to sustain it, would be indefensible, if it were true, for it involves the principle of taxing one locality to build up another; but it is not true. The canal is a hindrance to the commercial prosperity of New York. In 1901 that city paid in taxes \$1.81 for every ton of freight brought to it by canal.

The railroads brought wheat from Buffalo to New York for 66 2-3 cents per ton. The commerce of New York city did not reach its highest development until the tolls were taken off the railroads, and they became the important factor in the transportation of the country. The complaint that New York has been injured by railroad discrimination, if true, would be conclusive proof of the worthlessness of the canal as a regulator, but it is untrue. There is discrimination incidental to the fact that Philadelphia and Baltimore are no longer termini, but their railways have been extended to New York, and that fact

the second district, \$350.

The new law inserts the words "or borough "after the word "city" in the following clauses:

"If the same [saloon] be in a city or borough having by the last State census a population of 1,500,000 or more, the sum of \$1,200; if in a city or borough having by said census a population of less than 1,500,000, but more than 500,000, \$750."

If this last clause applies to The Bronx, the liquor tax, the saloon men say, seems to be reduced there, not increased.

But later in the act is this, which is all new law:

"The excise taxes assessed under this act in cities containing a population of 1,500,000 or more, which are or shall be formed by the consolidation of territory situate in one or more counties, shall be assessed in the several boroughs or portions of the territory so consolidated to form such city at an advance of one-half in the rate over the amount at which such taxes were assessed on the 31st day of December, 1902, in the several portions of the territory so consolidated."

Is the same [saloon] be in a city or borough the sum of sity or borough the sum of \$1,500,000 or more, the sum of \$1,500,000, \$1,500,000 or more, the sum of the well-well to New York, not injured it. In the year 1901 these two roads brought to New York freight originating west of the Western terminals of the trunk lines amounting to 1,132,000 tons. The Eric Canal in the same year brought from all sources 790,192 tons.

Fifth—Because the enormous discrepancy between what the traffic itself pays and what the canal has already taken and this bill proposes to take from the State Treasury should put the whole matter to to the following figures: In the year 1901 the total tonnage of the canals was 3,420,613. The canal committee, in its probably less now, but if we multiply the number of tons by 150 it gives us \$15,-150 mills and their profit 0.15 mills. If we take the number of ton miles given and

In other words, for every dollar of cost paid by the traffic the State paid \$8.09, for every dollar earned it paid \$3.39, and for every dollar of profits it paid \$43.00.

But we shall be told that the new and improved canal will change all this. Let us see.

The report of the canal committee in The report of the canal committee in 1899 stated the amount necessary to pay interest at 3 per cent, and form a sinking fund that will extinguish the debt in eighteen years, as the Constitution requires, at \$72,710 per million, or \$7,343,710 for \$101,000,000. The hill in your hands provides for this, and we cannot assume with any certainty that it will be changed. The annual cost of the new and larger canal certainly will not be less than the present one, so if we add to this the amount actually expended in 1901 it makes \$10,652,451.79 annually. But the advocates of this bill confidently assert that the bonds will be extended so as to run fifty years, thus increasing the total amount and placing the burden upon our children and grandchildren, in spite of the fact that juniversal public opinion but recently prohibited such extension.

They put the annual sum to be raised

spite of the fact that juniversal public opinion but recently prohibited such extension.

They put the annual sum to be raised on account of the debt, in round figures, at \$5,000,000. I am giving their figures throughout, and therefore accept that. Five millions added to the expenditure in 1901 makes \$8,308,741.79 as the annual cost which must be paid out of the State Treasury. The friends of this bill estimate that the larger canal will attain ten millions tonnage. That will be 6,379,387 more than were carried in 1901. They also assume that the greater part of this will be through frieght; therefore, we will estimate that the average distance will be 300 miles, making the total ton mileage 2,486,960,050, and the cost to the State 3.34 mills per ton mile. They further estimate that the cost per ton mile to the boatmen will be reduced to 0.52 of a mill per ton mile, and, if we assume the same profit, 0.15 per ton mile, then the amount to be received for carriage will be 0.67. These will give the following figures:

State of New York out of either of these results, it would be interesting to understand the mathematics used.

But these figures, though they are exactly what the canal men themselves give, are untrustworthy and untrue. Only those which show what the State will pay can be depended upon, and we protest:

Sixth—Because there never will be any such increase of traffic and there never will be any such decrease of cost. All canal transportation everywhere in the world is unprofitable in comparison with improved railway transportation such as we have in America. The thousand-ton barge is known in theory only. Nothing like it is in successful use. Vessels of less than 2,000 tons have been found unprofitable on the free water of the lakes. There are thousand-ton vessels on the Hudson River which pay, but they are built on a model as different as can be imagined—broad and shallow, with high decks, one above another, and they carry their loads entirely above the water-line. The thousand-ton barge carries two-thirds of its load below the waterline. The submerged section will occupy more than 20 per cent of the entire section of the canal.

thirds of its load below the waterline. The submerged section will occupy more than 20 per cent. of the entire section of the canal, and no vessel can be economically propelled within so circumscribed a waterway.

The largest steamer on the Hudson River, the Adirondack, with its four decks and its enormous capacity for freight and passengers, only draws eight feet of water. The thousand-ton barge will draw ten and actually cannot navigate the Hudson River until the channel is dredged out.

Seventh—Because the history of the canal is crowded with estimates and predictions that were not trustworthy. Not one of the proposed improvements has been comthat were not the work the proposed improvements has been completed within the promised cost, not one of them has produced the promised results. We are told that the canals have been "neglected," but within the last twenty years more money has been expended on alleged betterments than has been charged to the construction account of any operating railway in the State, and every dollar of it has been wasted. So, we have every reason to believe, will be the vast sum which this bill proposes to take from the people.

people.

The responsibility remains with yourself. The Constitution requires that an answer be given to the question, "Shall this bill pass, and ought the same to receive the sanction of the people?" It is for you to answer that question. Respectfully submitted, POUGHKEEPSIE, April 4, 1903.

CAN'T ACCEPT THE BROWN BILL Stevens Unification Plan Should Pass at

Once, Regent McKelway Says. St. Clair McKelway of the State Board of Regents was asked by a SUN reporter last night if despatches from Albany that he favored Senator Elon R. Brown's amended unification bill were true. Mr. McKelway said they were not. He went

on to sav: "I have written to the Senator that I cannot stand for his bill and am in favor of the plan of Senator Stevens's bills, introduced last Friday. They met then what were understood to be the views of Senator Lewis, chairman of the Senate Committee on Education, and of Assemblyman Landon, chairman of the like committee in the Assembly.

"I hope the two committees will favorably report them on Tuesday. If they do not, hope a motion will be made and carried to discharge the committees from their further consideration and that then they will be passed. Further delay at this stage will signify a purpose to pass no bill for unification. That would plunge the subject into politics. It would be an inflammatory subject there-hurtful to politics and to educational interests.

"The Regents have conceded the progressive reduction of the Regents to eleven; the exchange of the life tenure of Regents thereafter elected for a fourteen years' term; the retention of the Department of

term; the retention of the Department of Public Instruction, with salary to Mr. Skinner and his deputies to the end of his term. That should be the limit of concession by the Regents.

"Mr. Brown would force the retention of Mr. Skinner to the end of his term; at once elect eleven more Regents to serve with the eighteen now in office, making the number, with the three ex-officio members, thirty-two, and would then let death reduce the life Regents to eleven, as the ultimate number, a Regent to be elected each year thereafter for an eleven-year term. He would put the high schools as well as the elementary schools under the Superintendent, despite the liability of such a plan to create a political machine within the board. The high schools should be entirely under the Regents, as every enlightened educator knows.

"The Brown bill is cumbrous and clumay.

the Regents, as every enlightened educator knows.

"The Brown bill is cumbrous and clumsy. The Stevens plan is simple, single and direct. If the Legislature does not pass it nothing should be passed at all. The people would like this Legislature to unify the State's educational system. But if it does not they can elect a Legislature that will."

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BOMBSHELL IN ODELL'S CAMP

RESOLUTION TO INVESTIGATE STATE INSANE HOSPITALS.

as Introduced by a Buffalo Assen man and Leader Rogers Objected to Its Receipt and Killed It-Coroners Bill Advanced to a Third Reading.

of Erie to-night attempted to introduce a resolution in the Assembly calling for an investigation of the State hospitals for the insane. The resolution said that a strike of the employees of the State hos pital at Buffalo was in progress as a result of the poor quality of food that is being served to them, and that, as constant and unfavorable criticism concerning the management of these hospitals is being made by the press of the State, it was important that the abuses be corrected at once. The resolution provides for a com mittee of eight members of the Assembly ond appropriates \$7,500 for their expenses.

Mr. Burke showed the resolution to Ma-

jority Leader Rogers, but he objected to its receipt by the Assembly. Mr. Rogers was chairman of the Assembly Judiciary Committee, and introduced the bill last mission in Lunacy, which commission is controlled absolutely by Gov. Odell.

The introduction of the resolution came as a bombshell, and Speaker Nixon and Majority Leader Rogers quickly realized that it might lead to an investigation of the sale of groceries to State institutions by the J. W. Matthews Company of Newburgh, and they were very anxious that the rule providing that resolutions cannot be introduced in the Assembly except during the months of January and February should be enforced.

Senator Elsberg was about the chamber to-night working in the interests of his bill abolishing Coroners in New York city and substituting medical examiners in their stead. His bill was on the order of second reading in the lower house and it was advanced to a third reading. Assemblyman Finch (Rep., New York) asked if amendments could be offered on the order of final passage, and being assured that they could was content to permit the bill to go to a third reading. Mr. Finch says he will try to amend the bill so as not to

solute dictator of the New York city Fire Department.
Speaker Nixon, alone and unassisted, to-night moved to a third reading Assemblyman Howard Conkling's bill, which is aimed to give the Central Hudson Steamboat (Odell's) Company a partial monopoly of the ice business in New York city. The bill provides that no permit for the erection of ice-transferring apparatus on any pier owned by New York city shall be granted without a public hearing being given. Assemblyman Richter (Tam.) was on his feet when the bill was read, clamoring for recognition, but the Speaker failed to see him.

feet when the bill was read, clamoring for recognition, but the Speaker failed to see him.

Mr. Richter was, however, recognized on the second bill redistricting the dockmasters, and on his objection the bill went over until to-morrow. He wanted the other bill to take the same course, but Speaker Nixon announced that as it had been advanced it could not be laid aside then. No one had a chance to object to its advancement if he wanted to, as the Speaker at that instant was "jamming" legislation in his most approved manner.

The canal improvement advocates in the Assembly refused to permit Assemblyman Plank's concurrent resolution amending the Constitution so as to suthorize the charging of tolls on the canals to go to a third reading when it was reached on the order of second reading. The bill was made a special order for Wednesday.

Senator Elsberg's bill prohibiting junk dealers to purchase junk from children, actually or apparently under 18 years of age, was amended in the Assembly to-night so as to read that no junk dealer shall buy junk from any persons under 18 years of age.

The Assembly passed Assemblyman Bostwick's bill authorizing the erection of a new court house in New York county. The Assembly also passed Senator Marshall's bill amending the Tenement House law as suggested by Tenement House Commissioner De Forest. The Senate passed Assemblyman Fitzpatrick's bill researched Assemblyman Fitzpatrick's bill

nte passed Senator Marshall's companion bill.

To the surprise of many the Assembly passed Assemblyman Fitzpatrick's bill taxing as personal property seats in the New York city Stock Exchange.

Assemblyman Cohn's bill, which permits butcher shops in New York city to remain open until 10 o'clock Sunday mornings, was advanced to a third reading in the Assembly and was then recommitted to the Codes Committee. That kills it.

The Assembly advanced to a third reading Assemblyman Remsen's bills abolishing bucketshops and abolishing tolls for drivers on the Brooklyn Bridge.

Assemblyman McManus (Tam.) introduced a bill suthorizing New York city to acquire the block bounded by Twenty-ninth and Thirtieth streets, Eleventh avenue and the Hudson River, for a playground.

The Senator Armstrong's, providing for the licensing of nurses.

Senator Fitzgerald's, establishing Oct, 14. Columbus Day, as a legal holiday.

Senator Townsend's, providing for fire

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proof fire escapes in hotels outside of New York and Buffalo.

Senator Marshall's second bill, permitting the New York city authorities to close a city block for the Pennsylvania Railroad Company's New York city terminal station.

Assemblyman Bostwick's, providing for a reserved calendar in the New York city Municipal courts.

Assemblyman Dooling's, permitting a recreation and athletic ground in McComb's dam Park in The Bronx.

FRANCHISE TAX LAW VALID. Atterney-General Cunneen So Argues E

fore the Court of Appeals. ALBANY, April 6.-Attorney-General Cunneen, for the people, this afternoon argued before the Court of Appeals in favor of the constitutionality of the Special Franchise Tax law passed by the Legislature of 1899 when Theodore Roosevelt was Governor. The arguments will be continue to-morrow. On Friday the court will take recess until Monday, April 27. It is expected the Legislature will adjourn finally on Friday, April 24, so that it is apparent there will be no effort made on the part of the present Legislature to remedy any lefects in the law or to carry out the recon mendation made by Gov. Odell in his mes sage that the law practically be repealed and an annual gross earnings tax on corporations holding special franchises be substituted.

The Appellate Division of the Supreme Court at Albany in January last declared that portion of the Special Franchise Tax law which designated the State Board of Tax Commissioners instead of the local assessors as the authority to value the special franchises unconstitutional. The court did not pass upon the question of the constitutionalty of the other provisions of the law which, Attorney-General Cunneen holds, stand, and that the franchises can be valued and assessed by the local assessors just as though they had been named in the law to do so originally. If the Court of Appeals upholds the Appellate Division and decides against the corporations an appeal will be taken to the United States Supreme Court and thus the operation of the law will be held up for another long period of time.

Atterney-General Cunneen's main points were: The Appellate Division of the Supreme

remain all of the statutes under which other assessments are made.

The purpose of the law was to tax franchises, not to furnish employment to the State Board of Tax Commissioners. If the means and agency intended fail others are available to accomplish the result, and as they have been employed in certain localities the result will stand.

The statute is not void, as it does not deprive the assessors of the power to fix the amount which every taxpayer shall pay.

It is competent for the Legislature to prescribe a rule of valuation which shall be conclusive upon the assessors.

This property was not assessable when the Constitution was adopted. The Legislature created a new duty, new functions, and it is competent for it to provide for their execution. he will try to amend the bill so as not to affect the present Board of Coroners of New York city. He said: "It is an outrage to legislate them out of office."

Assemblyman Howard Conkling was the only Republican member from New York city to object to the advancement of Assemblyman Remsen's Three-Platon Police bill when it was reached on order of third reading in the Assembly to-night. The bill was made a special order on second and third reading for Thursday. It will pass the Assembly advanced to a third reading Assemblyman Bostwick's bill which makes Fire Commissioner Sturgis the ab-

from the fact that the assessments for 1902 aggregated \$283,017,770, and the taxes, estimated by the State Tax Commissioners, assessed during the three years aggregate \$18,412,884, or about one-fifth of the total amount estimated to be necessary to rebuild the canals of the State. Of these taxes \$15,214,264 was assessed in the city of New York. If the corporations should succeed, these enormous amounts of money will be assessed upon the property of individuals and corporations other than special franchises.

and corporations other than special franchises.

The claim that taxing the right to occupy the public streets violates the obligations of the contract under which it is held, is based on the erroneous assumption that purchase money and taxation are the same. The tax is imposed not as a consideration for the grant, but because the tax is needed to maintain government to protect the corperation in the enjoyment of the grant.

The Attorney-General met the argument that it is impossible to fix the value of the franchises for the purpose of taxation by reminding the court that practical experience proves the contrary; that the records in these cases before the court show that many of these rights have been bought, sold and leased.

Regarding the point that the special Regarding the point that the special

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Easter Gifts

Rich cut and rock crystal glass lily vases, violet bowls, flower centres and rose jars in entirely new forms and exclusive designs. Also superb examples of H. Piper's and E. Raby's paintings on Doulton vases and centrepieces desirable for wedding presents.

UNION SQUARE NEW YORK.

Pottery and Glass Third Foor

franchises held by the same corporation should be separately assessed, the Attorney-General contended that they are properly assessable for property which they possess at the value which it has in the condition in which they possess and enjoy it; that the word "each" is used with reference to the complete franchise, and not with reference to its fractions.

David B. Hill will make the closing argument for the corporations to-morrow.

FAVOR AN EXCISE COMMISSION.

Citizens' Union and Other Organizations Indorse the Clark Bill. Strong resolutions indorsing the bill introduced recently at Albany by Assemblyman Clark for the appointment of a nonpartisan liquor traffic commission of seven experts to investigate the excise situation throughout the State and to report to the next Legislature have been adopted by leading members of the Citizens' leading members of the Citizens' Union and representatives of a number of organizations interested in the excise question.

The bill is intended to stop tankering with the Excise laws. Through the same bodies petitions favoring the passage of the bill are being circulated. Among those who have already signed are R. Fulton Cutting, Bishop Doane of Albany, A. G. Phelps Stokes, the Rev. John P. Peters, the Rev. Dr. W. S. Rainsford, Brander Matthews, Robert C. Ogden, Richard Watson Gilder and E. R. L. Gould. The names of many other persons prominent in church, professional and business affairs also appear on the lists of signers. Copies of the reso-

on the lists of signers. Copies of the resolutions have been sent to all the members of the Legislature. TEA SET FOR I. A. HOPPER. Given to the Tammany Leader by Clubs

of His District. Isaac A. Hopper, the Tammany leader of the Thirty-first Assembly district, was the guest at a reception given last night by the Harlem Democratic Club and the Tammany club of the district. He has just come

many club of the district. He has just come back from a winter at his home in Florida, where he goes every year. The clubs gave him a silver tea set that cost \$500.

The presentation speech was made by Supreme Court Justice Edward E. McCall. Congressman Shober also spoke. It had been said that Hopper was to be hailed as a candidate for the Tammany nomination for Mayor, but he wasn't, and his friends say he wouldn't take it. No one hinted at his being a candidate.

GRIP VICTIMS

THOUSANDS ARE PROSTRATED

Mills, Factories, Railroads, Stores and Nearly All Industries Are Crippled



Thousands of people in this city suffering with colds are about to-day. To-morrow they may be prostrated with Grip or Pneumonia. Grip is spreading. Whole families are suffering. Many business places are crippled through sickness of employees. The disease is not necessarily dangerous with proper care and the right remedies. It is almost suicide to depend on quinine and whiskey or home decoctions. Don't trifle with a cold. Either take my Cold or Grip Cure or call in a competent physician. I can't say what your doctor will do for you, but I do know that my Cold and Grip Cure will speedily break up all forms of colds and grip. It checks discharges of the Nose and Eyes, stops sneezing, promptly relieves the Throat and Lungs, allays Inflammation and Fever, and tones up the system. It cures Headaches and Dizziness accompanying the symptoms of Grip, produces sleep and restores strength to the body. It is invaluable in all forms of Influenza or obstinate colds—MUNYON.

I will guarantee that my Rhoumatism Cure will speedily cure nearly all forms of Rhoumatism that my Dyspopsia Cure will cure any case of indigestion or stomach trouble; that 50 per cent of kidney complaints, including Bright's Disease, can be cured with my kidney Cure, 57 cures for stillnesses. Every druggist sells them—mostly 25 cents a vial.